

**To:** Rodriguez, Dante[Rodriguez.Dante@epa.gov]  
**From:** Jeryl Gardner  
**Sent:** Wed 12/20/2017 3:07:18 AM  
**Subject:** RE: OU7 notes to guide discussion

Thanks, Dante.

I am at home tomorrow, but back in the office Thursday if you need anything.

Jeryl

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**From:** Rodriguez, Dante [Rodriguez.Dante@epa.gov]  
**Sent:** Tuesday, December 19, 2017 6:16 PM  
**To:** Jeryl Gardner  
**Subject:** RE: OU7 notes to guide discussion

I took very vague notes today, just jotted down a few things on my previous outline that I had sent you.

So the YPT and WRPT grants are in place for FY 18 already, and yes, their payments are automated. Their finance office just draws down the allotted funds when they need. Payments in arrears, not in advance.

## **Dante Rodriguez**

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**From:** Jeryl Gardner [mailto:JGARDNER@ndep.nv.gov]  
**Sent:** Tuesday, December 19, 2017 5:22 PM  
**To:** Rodriguez, Dante <Rodriguez.Dante@epa.gov>  
**Subject:** RE: OU7 notes to guide discussion

Thanks for the notes and discussion outline, Dante.

When you get a chance could you send the notes from our call today also?

And, to make sure I captured this correctly, I think you said that YPT and WRPT grants are done for CY18, and invoices/payments are merely automated at this point. Is that correct?

Have a great Christmas if I don't talk to you before then.

Jeryl

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**From:** Rodriguez, Dante [<mailto:Rodriguez.Dante@epa.gov>]  
**Sent:** Tuesday, December 19, 2017 1:15 PM  
**To:** Jeryl Gardner <[JGARDNER@ndep.nv.gov](mailto:JGARDNER@ndep.nv.gov)>  
**Subject:** OU7 notes to guide discussion

Jeryl,

I am sharing an excerpt from my planning notes to help guide our OU7 discussion.

-Dante

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**FROM the MINE NORTHWARD:**

1. **Phase 1 area** – *first 1.5 miles of drain, sampled by ARC.*
2. **Phase 2 area** – *next 2 miles of drain, up to YPT reservation, ARC argues against sampling.*
3. **YPT reservation** – *sampled by YPT with EPA funding.*
4. **Phase 3 area** – *remaining 10 miles from YPT north to river, low areas sampled by ARC in 2003.*
5. **Walker River and Weber Reservoir** – *from Wabuska Drain outfall about 12 miles to Weber Reservoir, USGS sampled in 2005, ongoing outfall sampling by water program.*
  
6. **Peripheral Components** – *old pump housings and related structures, located in OU4 area.*
7. **Rail Spur** – *rail to truck transfer facility, located at Wabuska, north end of valley.*

**STATUS:**

1. **Phase 1 area.**
  - a. Work performed by ARC contractors.
  - b. Sampling and analysis completed (2016), sufficient number of samples.
  - c. Statistical evaluation by ARC, EPA requests some additional, statisticians discussed.
  - d. Interpretation: ARC concludes no proof of mine impacts in northern part, EPA disagrees.
  - e. NEXT STEP: ARC complete statistical follow-up work, agricultural evaluation

-> follow-ups from recent technical call

-> agricultural evaluation deliverable December.

f. STRATEGY: ARC do HRA.

> Back-up plan - EPA (or if state-lead, NDEP) add scope to its contractor.

> Concern – if ARC does not correctly include tribal exposure scenario, or correctly handle background.

## 2. Phase 2 area.

a. Agencies want sampling, ARC disagrees, ARC conducting further evaluation.

b. NEXT STEPS/STRATEGY: ARC complete agricultural evaluation

-> agency review, determine whether Phase 2 needed . . .

=> if no agreement, utilize enforcement (whichever is lead agency).

> Back-up plan – EPA (or if state-lead, NDEP) add scope to its contractor.

## 3. YPT reservation.

a. Sampling performed by YPT contractor (2017), lab analysis by EPA CLP, data validation by EPA QAMS.

b. Data report forthcoming (McGinnis), EPA downloaded data too, transmitted to CBI, NDEP, ARC.

c. NEXT STEPS/STRATEGY: continue processing scope amendment to CBI task order

-> CBI data evaluation.

-> Also, continue pressing YPT to submit data report

-> ARC evaluation of data, HRA.

> Back-up plan – EPA contractor pick-up any deficient ARC work.

> YPT review/comment but not in CAG scope to perform whole evaluation.

## 4. Phase 3 area.

a. Sampling and analysis performed by ARC contractor under EPA direction (2003), sediment, limited.

b. NEXT STEPS: CBI data review, evaluation (with new scope). Perhaps sufficient?

## 5. Walker River and Weber Reservoir

a. River and Reservoir sampling and analysis performed by USGS (2005), sediment.

b. Ongoing Wabuska Drain outfall sampling and analysis performed by WRPT water

- program, additional analytes of interest added.
- c. Review and evaluation of existing outfall data by WRPT contractor (McGinnis).
- d. NEXT STEPS: Add scope to CBI task order

-> CBI initial risk-based data screening

-> recommendation for further investigatory work.

## **6. Peripheral Components**

- a. Former pump housing, concrete tank and foundation.
- b. Located within OU-4a evaporation pond area
- c. Data found for these features, from early OU-3 investigation, deemed sufficient.
- d. NEXT STEPS: data for these features will be included in OU-4 risk assessment.

## **7. Rail Spur**

- a. Rail to truck loading facility, located at Wabuska Station in north end of valley.
- b. Sulfur brought in, made into sulfuric acid at that location.
- c. ARC has refused to undertake any investigation related to the rail lines.
- d. EPA contractor drafted sampling plan for initial sampling effort.
- e. NEXT STEPS/STRATEGY: finish reviewing draft SAP

-> Share with stakeholders for comment.

=> Give PRPs opportunity to conduct sampling.

=> If PRPs decline, have the agencies conduct sampling.

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